

EXHIBIT HHHH



Re: FW: Settlement Privileged Communication FRE 408 [Link](#)

Nicholas USA7375 Oliva

to: Jennifer USA0458 Fischman

12/29/2016 02:12 PM

Thanks. Isn't that asking for everything (and not settlement)?

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From: Jennifer USA0458 Fischman/USAP/USA
To: Nicholas USA7375 Oliva/USAP/USA
Date: 12/29/2016 02:09 PM
Subject: FW: Settlement Privileged Communication FRE 408

Nick,
I spoke to Josh briefly. I don't want to counter with anything less than \$2.5m payable up front and a royalty free license for the assigned patents which Utsonomiya seems to need for a deal he's working on. [REDACTED]
[REDACTED]

Nothing needs to be decided this weekend. Let's discuss Tuesday when we are all back in the office.
Happy New Year!

Regards,
Jennifer

Jennifer Fischman
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----- Message from "Berman, Joshua A." <Joshua.Berman@troutmansanders.com> on Wed, 28 Dec 2016 21:05:48 GMT -----

From: "Berman, Joshua A." <Joshua.Berman@troutmansanders.com>
To: Jennifer_Fischman@m-chem.com, Nicholas_Oliva@m-chem.com
Subject: Fwd: Settlement Privileged Communication FRE 408

Privileged

Shall we discuss? We might consider a counter like \$2.5, payable in two installments over 6 months or \$2 million payable immediately, with either option being available on a take-or-leave basis with no negotiation. They are scared. (The posturing about counterclaims makes all the more apparent.)

Speak whenever convenient for you.

JB

Sent from my iPhone

Begin forwarded message:

[REDACTED]